

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CAPITAL ONE FINANCIAL  
CORPORATION, et al.,

Plaintiffs,

-against-

JAN HUMMER, et al.,

Defendants.  
-----X

**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED**

**DOC #:** \_\_\_\_\_  
**DATE FILED:** 1/7/2020

19-CV-11582 (VSB)

**ORDER**

VERNON S. BRODERICK, United States District Judge:

On January 6, 2020, Defendant Jan Hummer filed a motion to dismiss the amended complaint, (Doc. 2), pursuant to Federal Rules of Civil Procedure 12(b)(1)(3) and (6). (Doc. 13.) Under Federal Rule of Civil Procedure 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby:

ORDERED that Plaintiffs shall file any second amended complaint by January 27, 2020. It is unlikely that Plaintiffs will have a further opportunity to amend.

IT IS FURTHER ORDERED that if no second amended complaint is filed, Plaintiffs shall serve any opposition to the motion to dismiss by February 5, 2020. Defendant's reply, if any, shall be served by February 19, 2020. At the time any reply is served, the moving party shall supply Chambers with two courtesy copies of all motion papers pursuant to my Individual Rules by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York.

SO ORDERED.

Dated: January 7, 2020  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a horizontal line underneath the name.

Vernon S. Broderick  
United States District Judge